

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE SCHERING-PLOUGH
CORPORATION / ENHANCE
SECURITIES LITIGATION

Civil Action No. 08-397 (DMC) (JAD)

**SUPPLEMENTAL
DECLARATION OF STEPHANIE
A. THURIN REGARDING (A)
MAILING OF THE
SETTLEMENT NOTICE AND
PROOF OF CLAIM; (B)
PUBLICATION NOTICE; (C)
REPORT ON OPT-IN REQUESTS
RECEIVED TO DATE; AND (D)
REPORT ON OBJECTIONS**

I, Stephanie A. Thurin, declare and state as follows:

1. I am a Project Manager employed by Epiq Class Action & Mass Tort Solutions, Inc. (“Epiq”). The following statements are based on my personal knowledge and information provided by other Epiq employees working under my supervision, and if called on to do so, I could and would testify competently thereto.

2. Epiq was retained by Co-Lead Counsel in the above-captioned litigation (the “Action”). I submit this declaration to provide the Court and the parties with supplemental information regarding the Action.

ADDITIONAL DISSEMINATION OF THE SETTLEMENT NOTICE

3. As more fully described in the Declaration of Stephanie A. Thurin Regarding (A) Mailing of the Settlement Notice and Proof of Claim and (B) Report on Opt-In Requests Received to Date, executed on July 1, 2013 and previously

filed with the Court (the “July Declaration”), Epiq conducted the mailing of the Notice of: (I) Proposed Settlement and Plan of Allocation; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses (the “Settlement Notice”) and Proof of Claim and Release Form (“Claim Form”) (collectively, the “Settlement Notice Packet”) beginning on June 21, 2013 (the “Notice Date”).

4. From the July Declaration through August 12, 2013 Epiq has mailed an additional 58,883 copies of the Settlement Notice Packet to potential members of the Class whose names and addresses were provided by individuals or Nominees, and mailed another 1,466 Settlement Notice Packets to Nominees who requested Settlement Notice Packets in bulk for forwarding to their customers. Epiq will continue timely to respond to any additional requests for Settlement Notice Packets.

5. As of August 12, 2013, a total of 406,733 Settlement Notice Packets have been disseminated to potential Class Members and Nominees by first-class mail.

PUBLICATION OF THE SUMMARY SETTLEMENT NOTICE

6. Pursuant to the terms of the Court’s Order Preliminarily Approving Proposed Settlement and Providing for Notice, Epiq caused the Summary Settlement Notice to appear once in the national edition of *The Wall Street Journal* and be transmitted once over the *PR Newswire* on July 2, 2013. Attached as Exhibit A is a tear sheet proof of print in *The Wall Street Journal* attesting to that publication and a screen shot attesting to the *PR Newswire* transmittal.

7. Additionally, the Settlement Notice and Proof of Claim form were posted on the Settlement website, www.scheringvoryinsecuritieslitigation.com, as were the Complaint, the Stipulation and the Preliminary Approval Order. On July 3, 2013, the motion papers in support of final approval of the Settlement, the Plan

of Allocation and the request for attorneys' fees and reimbursement of expenses, including the supporting declarations, were also posted on the website.

OPT-IN REQUESTS RECEIVED TO DATE

8. As set forth in the Settlement Notice, Class Members who requested exclusion from the Class may become eligible to participate in the Settlement if they submitted a written Request to Opt-Back Into the Class to Epiq. Requests had to have been received no later than August 5, 2013. To date, Epiq has received no Requests to Opt-Back Into the Class.

OBJECTIONS

9. As set forth in the Settlement Notice, Class Members who wished to object had to have submitted their Objections in writing to the Clerk of the Court, Co-Lead Counsel and Representative Defendant's Counsel. Objections had to have been received no later than August 5, 2013.

10. While Epiq is not designated to receive Objections, Epiq has had communications with a potential Class Member who has submitted an Objection, Mary Ieni.

11. Ms. Ieni stated that she was a current Merck employee and a former Schering employee and that she had owned and purchased Schering securities during the Class Period through her 401(k) plan with Schering and wanted assistance in obtaining the required documentation to support a claim. At the time Ms. Ieni communicated with Epiq, I was not aware of the release of claims that had been provided in the ERISA action *In re Schering-Plough Corp. Enhance ERISA Litig.*, 08-1432 (D.N.J.) (the "ERISA Action"). Therefore, as is our practice at Epiq when we receive requests for assistance from potential Class Members, we endeavored to assist her to obtain the information she was seeking.

12. Ms. Ieni contacted Epiq via phone on July 11, 2013. She outlined her concerns for further research by a supervisor and was also provided with contact

information for Co-Lead Counsel per her request. I called Ms. Ieni and provided her with information on how to obtain documentation and how to file a claim. Ms. Ieni stated that she contacted Epiq because she was having difficulty obtaining documentation with the required information on the specific share purchases she had made during the Class Period. I explained what she needed to provide on the Proof of Claim so that Epiq could evaluate her claim. She said that the required information was not included on the documentation she had received from Vanguard, which had been the administrator of her plan, and asked if Epiq could assist her, as well as other plan participants, in obtaining the required documentation from Vanguard. I advised Ms. Ieni that Epiq would contact Vanguard and request a direct contact or obtain contact information for a department from which Class Members could request documentation or further information on their 401(k) transactions. I also told her, however, that Epiq, as the Claims Administrator, is not able to obtain Class Members' private and confidential financial information from a broker directly.

13. Epiq reached out to Vanguard multiple times via phone and email and ultimately was informed that Vanguard was no longer the administrator and record holder for the Schering 401(k) plan, rather Fidelity was the current administrator.¹ Vanguard also indicated that they believed that the current administrator should address participants' inquiries. Vanguard did provide a generic toll-free number that Epiq could provide to Class Members who requested information about 401(k) plans. This information was communicated to Ms. Ieni.

14. During the same timeframe, Epiq also reached out to Fidelity but was unable to confirm any details regarding the Schering 401(k) plan. Epiq sent emails on July 11, 16, 23, 24, and 30, 2013 requesting information about the 401(k) plan;

¹ It should be noted that the Settlement Notice and Proof of Claim form were mailed directly to both Vanguard and Fidelity as part of the notice program.

these emails were not answered. Epiq called Fidelity as well on July 16, 2013 but again was not able to get any information on the Schering 401(k) plan.

15. I contacted Ms. Ieni each time I received relevant information from Vanguard. During this follow-up, she also requested information on two mutual funds in which she had invested during the Class Period, which she believed had themselves invested in Schering securities. I informed her that investing in a mutual fund is not an eligible purchase for this Settlement, but that if a mutual fund purchased Schering securities the mutual fund itself could potentially be an eligible Class Member if it meets the class definition and is not otherwise excluded. She asked if there was a way to know if the mutual funds in which she invested, specifically the Wellington and Windsor funds, were Class Members, if they were going to file claims, if Epiq or Co-Lead Counsel could make them file claims and, when they filed claims, if they would be giving her part of any award they received because she had invested in those funds. I informed her that I did not have the answers to those questions as the Claims Administrator. She requested that I ask Vanguard those questions for her or tell them that she would be calling and asking those questions of them and that they should provide Epiq with a direct contact to give to her. I informed Ms. Ieni that I could pass her request on to them but that I could not provide information about another Class Member to her nor guarantee Vanguard's response. I also informed her that Epiq had reached out to Fidelity as the current 401(k) plan administrator, but we had not received any confirmation or relevant information from them nor did they provide a direct contact number for Class Members to request documentation.

16. In my last call with Ms. Ieni, I informed her that I would follow-up with her again if I received additional information. As of the date of her Objection, I had not received any new information from Vanguard or Fidelity. However, as noted above, I have since been advised that any claims in this Action which the Schering-Plough Employees' Savings Plan in which Ms. Ieni participated may

have had were released in the ERISA Action; thus, neither the plan nor Ms. Ieni, with respect to shares purchased through the plan, are eligible to participate in this Action.

17. Epiq has also reviewed the objection filed on behalf of Orloff Family Trust DTD 12/13/01 and Dr. Marshall J. Orloff IRA R/O ("Orloffs").

18. While the Orloffs' objection states that "Marshall Orloff, MD certifies class membership has been confirmed by the administrator," that is not accurate according to our records.

19. I have searched our records at Epiq and cannot find any record of Mr. Orloff (or anyone or any entity named Orloff) contacting Epiq in any manner, nor would any of Epiq's agents have confirmed Mr. Orloff as a class member even if he would have contacted Epiq.

20. Epiq does not have access to any Class Member's trading information beyond what is submitted by the Class Member in connection with claims processing and, thus, has no way of knowing if any given person or entity is, in fact, a Class Member until such information is provided and reviewed. The Orloffs provided no such information.

21. The only record at Epiq of any contact with Mr. Orloff is Epiq's mailing to him of the Notice of Pendency and Settlement Notice in this action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on August 13, 2013, at Beaverton, Oregon.

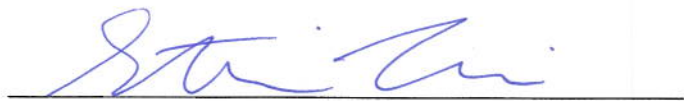

Stephanie A. Thurin

EXHIBIT A


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The law firms of Bernstein Litowitz Berger & Grossmann LLP and Labaton Sucharow LLP announce proposed settlement in In re Schering-Plough Corporation / ENHANCE Securities Litigation

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NEW YORK, July 2, 2013 /PRNewswire/ --

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

IN RE SCHERING-PLOUGH
CORPORATION / ENHANCE
SECURITIES LITIGATION

Civil Action No. 08-397 (DMC) (JAD)

SUMMARY NOTICE OF (I) PROPOSED SETTLEMENT AND PLAN OF ALLOCATION; (II) SETTLEMENT FAIRNESS HEARING; AND (III) MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES

TO: ALL PERSONS OR ENTITIES THAT PURCHASED OR ACQUIRED SCHERING-PLOUGH CORPORATION ("SCHERING") COMMON STOCK, 6% MANDATORY CONVERTIBLE PREFERRED STOCK MATURING AUGUST 13, 2010 ("PREFERRED STOCK"), OR CALL OPTIONS, AND/OR SOLD SCHERING PUT OPTIONS, DURING THE PERIOD BETWEEN JANUARY 3, 2007 THROUGH AND INCLUDING MARCH 28, 2008 (THE "CLASS PERIOD"), AND WHO DID NOT SELL THEIR STOCK AND/OR OPTIONS ON OR BEFORE DECEMBER 11, 2007, AND WHO WERE DAMAGED THEREBY (THE "CLASS").

PLEASE READ THIS NOTICE CAREFULLY; YOUR RIGHTS WILL BE AFFECTED BY THE PROPOSED SETTLEMENT OF A CLASS ACTION LAWSUIT PENDING IN THIS COURT.

YOU ARE HEREBY NOTIFIED that the Lead Plaintiffs in the above-captioned class action (the "Action"), on behalf of themselves and the Court-certified Class, have reached a proposed Settlement of the Action with Defendants Schering, Merck/Schering-Plough Pharmaceuticals ("MS-P"), the Individual Defendants (Fred Hassan, Carrie S. Cox, Robert J. Bertolini, Steven H. Koehler, Susan Ellen Wolf, Hans W. Becherer, Thomas J. Colligan, C. Robert Kidder, Philip Leder, M.D., Eugene R. McGrath, Carl E. Mundy, Jr., Antonio M. Perez, Patricia F. Russo, Jack L. Stahl, Kathryn C. Turner, Robert F.W. van Oordt, and Arthur F. Weinbach) and the Underwriter Defendants (ABN AMRO Rothschild LLC, Merrill Lynch, Pierce, Fenner & Smith Incorporated (as successor by merger to Banc of America Securities LLC), Banca IMI SpA, BBVA Securities Inc., Bear, Stearns & Co. Inc. (now J.P. Morgan Securities LLC), BNP Paribas Securities Corp., BNY Capital Markets, Inc. (now BNY Mellon Capital Markets LLC), Citigroup Global Markets, Inc., Credit Suisse Securities (USA) LLC, Daiwa Securities America Inc. (now Daiwa Capital Markets America Inc.), Goldman, Sachs & Co., ING Financial Markets LLC, J.P. Morgan Securities Inc. (now J.P. Morgan Securities LLC), Mizuho Securities USA Inc., Morgan Stanley & Co. Incorporated (now Morgan Stanley & Co. LLC), Santander Investment Securities Inc., Utendahl Capital Partners, L.P., and The Williams Capital Group L.P.) (collectively, "Defendants"). The Settlement provides for a total payment of \$473,000,000 for the benefit of the Class. In return, Class Members will dismiss with prejudice the claims asserted in this Action against Defendants and grant the Releases specified and described in the Stipulation and Agreement of Settlement dated June 3, 2013 (the "Stipulation").

A hearing will be held on October 1, 2013 at 10:00 a.m., before the Honorable Dennis M. Cavanaugh in Courtroom PO 04 of the United States Post Office and Courthouse Building, Newark, NJ 07101, to determine: (1) whether the proposed Settlement should be approved as fair, reasonable, and adequate; (2) whether the Action should be dismissed with prejudice against Defendants and the Releases specified and described in the Stipulation should be granted; (3) whether the proposed Plan of Allocation for the proceeds of the Settlement should be approved as fair and reasonable; and (4) whether Co-Lead Counsel's application for an award of attorneys' fees and reimbursement of Litigation Expenses should be granted.

IF YOU ARE A MEMBER OF THE CLASS DESCRIBED ABOVE, YOUR RIGHTS WILL BE AFFECTED AND YOU MAY BE ENTITLED TO SHARE IN THE SETTLEMENT FUND. If you have not yet received the full printed Notice of (I) Proposed Settlement and Plan of Allocation; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses (the "Settlement Notice"), you may obtain copies by contacting the Claims Administrator at:

In re Schering-Plough Corporation / ENHANCE Securities Litigation
P.O. Box 3127
Portland, OR 97208-3127
(877) 854-4458

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Copies of the Settlement Notice and the Proof of Claim Form ("Claim Form") are also available at www.scheringwatorinsecuritieslitigation.com.

If you are a member of the Class, in order to be eligible to share in the distribution of the proceeds of the Settlement you must submit a Claim Form postmarked no later than November 18, 2013.

If you previously submitted a request for exclusion from the Class in connection with the Notice of Pendency of Class Action ("Class Notice") and you wish to remain excluded, no further action is required. Please note that the Court, in its discretion, ordered that there shall not be a second opportunity to request exclusion from the Class. However, if you previously submitted a request for exclusion from the Class in connection with the Class Notice and you want to opt-back into the Class for the purpose of being eligible to receive a payment from the Settlement Fund, you may do so. In order to opt-back into the Class, you must submit a request to opt-back into the Class in writing such that it is received no later than August 5, 2013, in accordance with the instructions set forth in the Settlement Notice. If you previously submitted a request for exclusion from the Class in connection with the Class Notice and do not opt-back into the Class in accordance with the instructions set forth in the Settlement Notice, you will not be bound by any judgments or orders entered by the Court in the Action and you will not be eligible to share in the net proceeds of the Settlement.

Any objections to the proposed Settlement, the proposed Plan of Allocation, or the application for attorneys' fees and reimbursement of expenses must be filed with the Court and delivered to Co-Lead Counsel and Representative Defendants' Counsel such that they are received no later than August 5, 2013, in accordance with the instructions set forth in the Settlement Notice.

Inquiries, other than requests for copies of the Settlement Notice and Claim Form, may be directed to Co-Lead Counsel:

Salvatore J. Graziano, Esq.	Christopher J. McDonald, Esq.
BERNSTEIN LITOWITZ BERGER	LABATON SUCHAROW LLP
& GROSSMANN LLP	140 Broadway
1285 Avenue of the Americas	New York, NY 10005
New York, NY 10019	settlementquestions@labaton.com
blbq@blbqlaw.com	

Dated: July 2, 2013

BY ORDER OF THE COURT

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